



## Seth H. Wamelink

### Partner

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Seth Wamelink represents businesses in complex civil litigation throughout the United States.

An experienced trial attorney, Seth practices in the areas of product liability, personal injury, commercial litigation, and construction litigation. He represents clients in a variety of industries, including plumbing products, elevators, cranes and aerial work platforms, telecommunications, and contractors. Seth has taken numerous cases to verdict and routinely advises clients on pre-suit matters and risk management. By gaining a deep understanding of each client's business, he is able to effectively collaborate with clients to develop winning strategies.

Seth is particularly experienced in the areas of product liability and personal injury, and he is regularly retained to handle high-stakes product liability and personal injury claims. Seth serves as national counsel for a leading elevator manufacturer and maintenance company's personal injury cases, and he is national panel counsel for leading manufacturers of aerial work platforms and plumbing products. Seth is also co-lead counsel for a Fortune 500 company in one of the largest and most complex MDLs in the United States.

In every engagement, Seth focuses on gaining a deep understanding of the science and medicine underlying the liability and damage claims in order to develop and execute the most effective legal strategy. In his role as national and coordinating counsel, he ensures that a comprehensive and aggressive strategy is in place – starting with pre-suit claims all the way through to trial – in order to ensure successful outcomes and identify any trends or issues before they become a larger problem.

Seth also represents clients in complex commercial litigation and class actions in a broad

spectrum of industries, most notably telecommunications, manufacturers, and small to medium-sized business owners. He recognizes that developing an effective commercial litigation strategy requires not only a thorough legal analysis, but also a detailed understanding of how the dispute will affect a client's business and its business relationships. Seth collaborates with each client's legal and business teams to develop an aggressive litigation strategy that achieves the client's legal and business goals – while recognizing that some of the most successful outcomes often result from finding a “business solution” before incurring significant legal expense and souring lucrative business relationships.

As chair of the Tucker Ellis Construction Group, Seth understands that, to achieve our clients' goals, each dispute requires a wholesale strategy to address both the legal issues and business needs. Having grown up in a construction family, Seth has been on job sites since childhood and worked as a laborer during college – invaluable experience that has given him a firsthand understanding of the unique issues facing contractors and construction owners. In representing Fortune 500 companies and contractors large and small, he regularly assists in risk management, contract drafting, project management, negotiating project claims, change orders and requests for equitable adjustment, and litigation.

Seth devotes time to pro bono and civic activities as well. He has represented pro bono clients in housing matters and prosecuted attorneys accused of ethical violations. He serves on the Cleveland Metropolitan Bar Association's Certified Grievance Committee, and he is a mentor for the CollegeNow, Greater Cleveland Chapter, which provides mentorship to first-generation college students.

Seth and his wife Jennifer live in Bay Village, Ohio, with their three children Kellen, Connor, and Brooklyn. In his free time, he enjoys spending time with his family, playing the occasional round of golf, and cheering on Cleveland's sports teams.

## **Education**

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- Case Western Reserve University School of Law (J.D., cum laude, 2007)
- Miami University (B.S., 2003)

## **State Admissions**

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- Ohio, 2007

### **Federal Admissions**

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- United States Court of Appeals, Sixth Circuit
- United States District Court, Eastern District of Michigan
- United States District Court, Eastern District of Missouri
- United States District Court, Northern District of Ohio
- United States District Court, Southern District of Ohio
- United States District Court, Western District of Tennessee
- United States District Court, Eastern District of Wisconsin

### **Service Areas**

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- Business Litigation
- Class Action Litigation
- Construction
- Mass Tort & Product Liability
- Commercial Asset Recovery & Protection
- Insolvency & Workout
- Fire Litigation

### **Industries Represented**

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- Architectural & Engineering Firms
- Banks
- Construction
- Consumer Products
- Elementary & Secondary Schools
- Fabricated Metal Products
- Hospitals
- Machinery Manufacturing
- Medical Devices
- Medical Professionals (Doctors & Nurses)
- Nursing & Residential Care Facilities
- Pharmaceutical & Medicine
- Transportation Equipment

## Experience

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- Serves as national counsel in personal injury cases for a national elevator manufacturer and maintenance company
- Won summary judgments and upheld those decisions on appeal on behalf of telecommunications companies arising from a multibillion-dollar transaction
- Serves as co-lead counsel for a Fortune 500 company in complex and large-scale multidistrict litigation
- Coordinated the successful nationwide defense of multimillion-dollar product liability and alter ego claims brought against a large domestic manufacturer and distributor
- Obtained an Ohio appellate decision requiring plaintiffs to support claims against elevator manufacturers and maintenance companies with expert testimony
- Won summary judgment in more than a half dozen cases for a leading elevator manufacturer and maintenance company
- Won summary judgment in a large pharmaceutical MDL in the Southern District of West Virginia
- Obtained dismissal of a transaction-related shareholder class action lawsuit brought against a public company and its board members
- Obtained a favorable resolution for a manufacturer in a personal injury lawsuit arising from alleged soil and groundwater contamination
- Won a large AAA arbitration award on behalf of a private high school against a contractor arising from a defectively constructed ice hockey rink
- Obtained dismissal in federal court for a foreign manufacturer due to lack of personal jurisdiction
- After a bench trial, obtained a verdict dissolving a closely held corporation on behalf of a 50% shareholder in deadlock with co-owner, thereby preserving significant asset valuation for client
- Successfully prosecuted three disciplinary cases against Ohio attorneys accused of ethical violations resulting in sanctions instituted by the Supreme Court of Ohio
- Successfully prosecuted a lawsuit against abusive landlords on behalf of pro bono client-tenants resulting in a six-figure judgment
- Obtained two defense verdicts in arbitration for long-term care facilities
- Obtained favorable resolutions on behalf of plaintiff-purchasers of companies for misrepresentations made by defendant-sellers
- Won summary judgment on behalf of a custom crane manufacturer arising from a gantry crane derailment

## **Publications & Events**

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### **PUBLICATIONS**

- “Ohio Adopts New Lien for Design Professionals and Surveyors,” Tucker Ellis Client Alert (October 2021)
- “Control Project Costs Using Alternative Fee Arrangements,” *Construction Executive* (March 2020)
- “Smart Contracts Poised to Impact the Future of Construction,” *Construction Executive* (November 2019)
- “Supreme Court of Ohio Further Limits Coverage for Contractors Under Standard CGL Policies,” Tucker Ellis Client Alert (October 2018)
- “Strategies and Considerations When Breaking Up Mass Actions After *BMS*,” DRI’s *The Voice* (September 2017)

### **MEDIA**

- “How Firms Can Be a One-Stop Shop for Construction Clients,” *Law360* (March 2019)

### **Honors**

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- Ohio Super Lawyers Rising Stars® (2014-2021)

### **In the Community**

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- Cleveland Metropolitan Bar Association
  - » Certified Grievance Committee
- College Now, Greater Cleveland
  - » Mentor
- The Cleveland Leadership Center
  - » Civic Leadership Institute